

Message Text

PAGE 01 STATE 105676

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C O N F I D E N T I A L STATE 105676

FOLLOWING REPEAT STATE 105676 ACTION GENEVA INFO
USUN NEW YORK 6 MAY.

QUOTE

C O N F I D E N T I A L STATE 105676

E.O. 11652: GDS

TAGS:SREF, AEMR, UN

SUBJECT:MEETING BETWEEN AMBASSADORS BROWN, BUFFUM AND
KELLOGG, AND UNHCR REGIONAL REPRESENTATIVE VIRENDRA
DAYAL, MAY 5, 1975
REF. 104022
SUMMARY

1. AMBASSADOR BROWN MADE THE FOLLOWING POINTS:
 - A. CONGRESS CRITICAL OF UNHCR PERFORMANCE TO DATE.
 - B. THE HCR HAD MOVED FAR MORE SLOWLY THAN IN CYPRUS.
 - C. WHILE NOT PRESSING FOR AN INTERNATIONAL APPEAL,
SOME PUBLICITY (E.G. THE HCR REPRESENTATIVES
ARRIVAL IN GUAM) WOULD BE HELPFUL.
 - D. THE HCR SHOULD APPROACH SELECTED GOVERNMENTS
REGARDING RESETTLEMENT EVEN IF REFUGEE NUMBERS
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PAGE 02 STATE 105676

ARE AMBIGUOUS.

2. DAYAL MADE THE FOLLOWING POINTS:
 - A. THE HCR HAD STRESSED IMPORTANCE OF NON-REFOULE-
MENT FROM THE OUTSET.

B. CONGRESS SHOULD APPRECIATE THAT THE PROBLEM IS WIDER THAN THE REFUGEES ON GUAM AND THAT THE HCR IS LOOKING AT THE TOTAL PICTURE.
C. THE UGANDAN ASIANS REPRESENTED A PARALLEL PROBLEM WHERE THE UK HAD TO ACCEPT THE MAJORITY OF THE REFUGEES BEFORE OTHER COUNTRIES INCLUDING THE

U.S. WOULD TAKE THE REMAINDER.

D. THE HCR UNDERSTANDS THE USG WOULD LIKE HIM TO APPROACH SELECTED GOVERNMENTS BEFORE THE NUMBERS CLARIFY.

E. THAT HCR'S TEAM WAS ARRIVING ON GUAM MAY 6 AND WOULD START IDENTIFYING THOSE DESIRING TO GO TO 3RD COUNTRIES OR RETURN TO VIET-NAM.

END SUMMARY

3. AMBASSADORS BROWN AND BUFFUM WITH FRANK KELLOGG MET UNHCR'S REGIONAL REPRESENTATIVE VIRENDRA DAYAL ON MAY 5. THE MEETING WAS IN RESPONSE TO DAYAL'S REQUEST FOLLOWING DELIVERY THE PREVIOUS DAY OF THE DEPARTMENT'S MESSAGE TO THE SECRETARY GENERAL IN VIENNA REGARDING THE HCR'S ROLE IN THE INDO-CHINESE REFUGEE CRISIS. AMBASSADOR BROWN REPORTED HE HAD TESTIFIED BEFORE THE HOUSE JUDICIARY SUBCOMMITTEE AND THAT ITS MEMBERS AND CONGRESS IN GENERAL WERE EXERCISED OVER LACK OF ACTION ON PART OF UNHCR AND ICEM. DESPITE URGING BY THE USG, HE SAID, UNHCR'S OFFICE HAD BEEN SLOW TO REACT AND THAT THIS MIGHT WELL HAVE A DELETERIOUS EFFECT ON FUTURE UNHCR SUPPORT.

4. DAYAL ASSURED BROWN OF UNHCR'S FULL COOPERATION. WHEN THE SITUATION ERUPTED, UNHCR IMMEDIATELY INSTRUCTED ITS FIELD REPRESENTATIVES IN THE AREA TO PREVENT REFOULEMENT IN LIGHT OF GENERAL INTERNATIONAL PRACTICE AS NO ASIAN COUNTRY IS SIGNATORY TO THE REFUGEE CONVENTION. THIS ACTION OCCURRED IN THAILAND (BANGKOK, UTAPAO, AND BORDER AREAS WERE SPECIFICALLY CITED), SINGAPORE, MALAYSIA, AND JAPAN WHERE DAYAL SAID, 800 STUDENTS HAD CONFIDENTIAL

PAGE 03 STATE 105676

FACED POSSIBLE DEPORTATION. DESPITE A TENSE POLITICAL SITUATION THIS BASIC RESPONSIBILITY OF THE OFFICE HAD BEEN SUCCESSFULLY MET.

5. IN EUROPE AND ELSEWHERE AROUND WORLD SIMILAR PROBLEMS HAD ARISEN, DAYAL REPORTED. INQUIRIES HAD BEEN RECEIVED ON THE PART OF CAMBODIANS AND VIETNAMESE IN FRANCE AND OTHER COUNTRIES. EACH CASE HAD TO BE CONSIDERED ON INDIVIDUAL MERITS NONE OF WHICH, DAYAL REMARKED, MAKES AN IMPRESSION ON THE U.S. CONGRESS. IN THESE CIRCUMSTANCES THE FIRST PREOCCUPATION OF UNHCR IS TO INSURE NON-REFOULEMENT; THE SECOND IS TO ATTEMPT TO SECURE AT LEAST TEMPORARY HAVEN IN THE HOST COUNTRY.

6. IN GUAM DAYAL INDICATED THE HCR'S REPRESENTATIVES WOULD SEEK TO DETERMINE WHERE THE REFUGEES WISHED TO GO. THEN THE TASK WOULD BE TO PERSUADE COUNTRIES TO ACCEPT THEM. A FUNDAMENTAL DIFFICULTY FOR THE HCR, DAYAL SAID,

WAS TO ESTABLISH THE DIMENSIONS OF THE PROBLEM. THE NUMBERS OF EX-SOUTH VIETNAMESE CHANGED ALMOST DAILY. IT WAS, HE FELT, ESSENTIAL TO APPROACH POTENTIAL RESETTLEMENT COUNTRIES WITH FIRM FACTS AND FIGURES; A SECOND REQUEST WAS ALMOST ALWAYS UNSUCCESSFUL. AS YET, HE POINTED OUT, UNHCR HAD LITTLE FEEL FOR THE RESIDUAL NUMBERS OF REFUGEES IN GUAM. THE RANGE COULD VARY SUBSTANTIALLY AND THE HCR TO BE CREDIBLE SHOULD BASE ANY DEMARCHE ON ESTABLISHED FACTS.

FOR THIS REASON THE HCR HAD NOT YET DETERMINED ON A PUBLIC APPEAL VS. A SELECTED TARGET APPROACH. HE HAD HOWEVER BEEN IN TOUCH WITH THE CANADIAN GOVERNMENT AND WAS ATTEMPTING TO IDENTIFY UP TO 15,000 VIETNAMESE WITH LETTERS OF INTENT FROM THE GOC.

7. AMBASSADOR BROWN INTERJECTED THAT THE USG HAD NOT WAITED TO ESTABLISH NUMBERS BUT HAD ACTED TO PREVENT LOSS OF LIFE. EVEN NOW NUMBERS HAVE YET TO BE ESTABLISHED.

SURPRISED AT HCR'S DELAY AND FAILURE TO PROVIDE IMMEDIATE AND DIRECT HELP WHICH IF NOT FORTHCOMING, WOULD BE A CONFIDENTIAL

PAGE 04 STATE 105676

GREAT DISAPPOINTMENT. THERE MUST BE ACTION -- PUBLIC AND PRIVATE. CONGRESS, IN AMBASSADOR BROWN'S UPCOMING HEAVY SCHEDULE OF HEARINGS, WOULD BE DEMANDING IT. A POLL OF 500 REFUGEES AT GUAM INDICATED 10 DID NOT WISH TO GO TO THE U.S. THESE NEED TO KNOW FROM INTERNATIONAL ORGANIZATIONS WHERE THEY CAN MOVE. THE USG HAS MADE A BILATERAL WORLDWIDE DEMARCHE TO GOVERNMENTS AND WILL SHARE RESPONSES WITH THE HCR.

8. DAYAL EMPHASIZED THAT HCR WAS NOT "COZYING UP TO THE COMMUNISTS" BUT FELT THAT THE VAST PROBLEM OF REUNITING FAMILIES IN THE COMING MONTHS BOTH WITHIN AND OUTSIDE OF SAIGON WARRANTED "KEEPING UP THESE CONVERSATIONS." THE HCR WOULD HAVE TO RETAIN STAMINA FOR A LONG RESETTLEMENT PROBLEM. IN RESPONSE TO AMBASSADOR BUFFUM'S QUESTION THE HCR, DAYAL BELIEVED, WOULD APPROACH GOVERNMENTS WITHOUT FURTHER DEFINITION OF NUMBERS TO ASCERTAIN "IN PRINCIPLE" THEIR RECEPTIVITY TO THE PROBLEM. HE ALSO EXPLAINED THAT THE HCR CUSTOMARILY OPERATED WITH A SMALL STAFF -- "IT IS THE NATURE OF OUR OPERATION" -- BUT THEY WILL STAY IN GUAM AS LONG AS NECESSARY WITH APPROPRIATE VISIBILITY. DAYAL UNDERSTOOD THE SENSE OF URGENCY BOTH

BECAUSE OF US PUBLIC OPINION AND BECAUSE OF THE THREAT
OF TYPHOON SEASON. IT IS, HE CONCLUDED, AN "INCREDIBLY
DEMANDING JOB WITH WHICH UNHCR IS FULLYSEIZED." KISSINGER
UNQUOTE

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